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Attorneys for Plaintiff,  
U.S. SMALL BUSINESS ADMINISTRATION,  
as Receiver for PROSPERO VENTURES, L.P.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

U.S. SMALL BUSINESS  
ADMINISTRATION, as Receiver for  
PROSPERO VENTURES, L.P.,

Plaintiff,

v.

JOHN W. MURPHY,

Defendant.

NO. C 07-03737 VRW

**Related Cases:**

C 07-03732, C 07-03733, C 07-03735,  
C 07-03736, C 07-03738, C 07-03739,  
C 07-03740, C 07-03741

**STIPULATION FOR DISMISSAL OF  
ACTION WITH PREJUDICE AND  
[PROPOSED] ORDER**

This stipulation is entered into by and between plaintiff, U.S. SMALL BUSINESS  
ADMINISTRATION, as Receiver for PROSPERO VENTURES, L.P. ("Plaintiff"), by and  
through their attorneys, COLEMAN & HOROWITT, LLP, and defendant, JOHN W. MURPHY  
("Defendant"), In pro se as follows:

**RECITALS**

This stipulation is entered into with the following facts taken into consideration:

1 *U.S. Small Business Administration, etc.*  
2 *v. John W. Murphy*  
3 Case No. C 07-03737 VRW

4 A. The parties have entered into a settlement agreement which resolves all issues in  
5 this matter.

6 B. Defendant has fully complied with the terms of the settlement agreement. As  
7 such, plaintiff is desirous of dismissing the action, with prejudice, as to defendant.

8 **STIPULATION**

9 With the following facts taken into consideration, the adequacy and sufficiency of which  
10 are hereby acknowledged, the parties hereby stipulate and agree as follows:

11 1. The complaint in the above-captioned matter shall be dismissed, with prejudice.

12 2. This dismissal shall not constitute a dismissal of any of the related cases  
13 identified in the caption above.

14 3. This stipulation may be executed in counterparts and a facsimile and/or electronic  
15 signature shall be considered as valid as an original.

16  
17 Dated: August 21, 2008

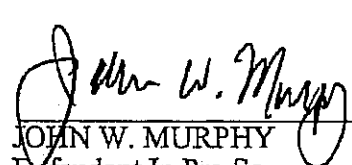
COLEMAN & HOROWITT, LLP

18  
19 By: 

DARRYL J. HOROWITT  
Attorneys for Plaintiff,  
U.S. SMALL BUSINESS  
ADMINISTRATION, as Receiver  
for PROSPERO VENTURES, L.P.

20  
21  
22  
23  
24 Dated: August 21, 2008

REVIEW BY ATTORNEY WAIVED BY  
DEFENDANT, JOHN W. MURPHY

25  (pro se)  
26 JOHN W. MURPHY  
27 Defendant In Pro Se  
28

1 *U.S. Small Business Administration, etc.*  
2 *v. John W. Murphy*  
3 Case No. C 07-03737 VRW

4 **[PROPOSED] ORDER**

5 The parties having so stipulated, and good cause appearing therefor,

6 IT IS HEREBY ORDERED that the complaint shall be dismissed, with prejudice, against  
7 Defendant, JOHN W. MURPHY.

8 Dated: \_\_\_\_\_

9 HON. VAUGHN WALKER  
10 UNITED STATES DISTRICT COURT JUDGE